

REMARKS

Claims 1-16 are all the claims pending in the application. Claims 1 and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Pub. US 2003/0108005 A1 (hereinafter, “Agrawal”). Claims 2-8 and 10-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant submits the following in traversal.

Rejection of Claims 1 and 9 under §102(e) anticipated by Agrawal

Applicant submits that claim 1 is patentable because Agrawal fails to disclose or suggest each and every element of the claim. Claim 1 recites:

A wireless communication system, comprising:

a queue information search unit for searching a queue-status information provided to a data in a packet unit;

a communication priority decision unit for deciding a communication priority of a plurality of external devices based on the queue-status information as searched, giving a higher priority to an external device having a greatest number of packets in queues; and

a communication initiation unit for initiating a communication with the plurality of external devices according to the communication priority as decided.

For example, Agrawal fails to disclose or suggest a queue information search unit for searching a queue-status information provided to a data in a packet unit, in combination with other elements of claim 1.

In the Office Action, the Examiner cites the priority determination circuit 37 of Agrawal as corresponding to the claimed queue information search unit. Applicant disagrees.

In paragraph 24, the priority determination circuit 37 reactivates muted channels by relative size of the content of the packets in the associated buffers, with the largest content being released first. ¶ 0024. In contrast, the priority determination circuit 37 does not search a queue-

status information provided to a data in a packet unit. In other words, the priority determination circuit 37 does not search for any sort of queue-status information in a single packet stored in the buffer. Rather, the priority determination 37 determines the relative size of the content of multiple packets in the buffer.

Therefore, for at least the above reasons, claim 1 is patentable.

For reasons similar to those submitted for claim 1, claim 9 is patentable. For example, Agrawal fails to disclose or suggest searching a queue-status information provided in a data in a packet unit, in combination with other elements of the claim.

Applicant submits the following comments in response to the Examiner's Statement of Reasons for Allowance. The Examiner acknowledges that the claims are allowable because certain features therein are not taught or suggested by the prior art. However, the language used by the Examiner in describing these exemplary features is not the same as the language contained in all of the claims.

Accordingly, Applicant submits that each individual claim is allowable based on its own language, and not based on any paraphrasing of language that may be made by the Examiner.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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